

8/17/16

Central Valley Water Board Agenda Item 5: Public Workshop on Potential Amendment to Establish a Region-wide Process for Evaluating the Municipal and Domestic Supply (MUN) Beneficial Use in Agriculturally Dominated Surface Water Bodies

Sacramento River Source Water Protection Input during Panel Discussion: Selected Items Requested to be Sent to Board Staff

1. Issues to be Presented by Board Staff and Addressed to Panel for Input: Public Involvement in Evaluation Process

We have several ideas on this point.

- It is unclear from Figure X at what point the beneficial use designations will be in effect and water quality objectives will be applied, i.e. after Notice of Approval (NOA), addition to Reference Document, or Basin Plan Amendment. This should be more specifically noted in the proposed Basin Plan Amendment.
- Will the Notice of Intent (NOI) indicated on Figure X be publicly listed? Would it be possible for the Board to publicly list the NOIs that have been approved and moved into Board Staff review and verification? We support this early information being made available via Lyris and on the Board website.
- We would like to request that Board Staff consider planning the number of Notice of Tentative Approvals (NOTA) released at one time for public review to ensure that there's adequate review time.
- Will the NOA indicated on Figure X be publicly listed? We support the idea of this information being made available via Lyris and on the Board website.
- Will the Reference Document be updated at a set frequency or timing in the process so that current information is available to interested parties between BPAs?
- We would like to suggest that the process provides the opportunity for input/information to be provided by interested parties to help inform Board staff's evaluation prior to any implementation of new beneficial use designations.

2. Additional Key Concerns

- We are concerned about whether some of the specifics proposed for the MUN de-designation process are consistent with the intent of the State's Sources of Drinking Water Policy (State Board resolution 88-63). For example, the Policy identifies an exception for agricultural drainages (2b), and includes monitoring requirements to ensure downstream MUN protection. The proposed process includes de-designation under the Sources of Drinking Water Policy for constructed and modified combinations of agricultural drainage and water supply (included in C1 and M1). We suggest that the process include a more specific definition for agricultural drainage to provide some reasonable/practical parameters for water bodies that are combinations that ensure that they are being excepted under the Sources of Drinking Water Policy based on the primary purpose of conveying agricultural drainage.

- The new Limited MUN beneficial use does not appear to us to be sufficiently protective of downstream MUN use which is our program's focus, nor does it appear to be protective of future use for drinking water. The definition appears to lack specificity in the actual uses allowed and how the downstream waterbodies will be protected. Our understanding is that it doesn't directly provide any water quality protections via water quality objectives except for allowing for degradation under state antidegradation policy. We support the concept of the language included in the implementation section regarding triggers to prevent trends of degradation, and we recommend that a solution be developed to consider including trigger language in the water quality objective or other solutions to prevent degradation of these water bodies.
- We would like to better understand how the proposed process would work for Seasonally-Closed Recirculating Systems, including water body characterization, beneficial use classification and what evaluations in the process would be applied. Also, these water bodies discharge to receiving waters seasonally, and this is important to consider when determining appropriate beneficial use designations, monitoring, and long-term evaluation needs.
- We believe that it's important that it's made clear in the Staff Report and Basin Plan Amendment that there are other water quality objectives applicable to MUN that aren't in the newly proposed MUN section in the Basin Plan (as they are applicable to other Beneficial Uses as well). These other objectives are important existing protections and safeguards for MUN afforded by the current Basin Plan language.